



COURT UNITED STATES DISTRICT COURT
 COUNTY OF SOUTHERN DISTRICT OF NEW YORK
 BA CHUB CAY, LLC,

Index No. 08 CIV 5217

Plaintiff(s)
 against
 Defendant(s)
 WALTER J. MCCRORY, ET AL.,

**AFFIDAVIT OF
 SERVICE OF SUMMONS
 (AND COMPLAINT)**

IN A CIVIL ACTION, INDIVIDUAL PRACTICES
 OF JUDGE FRANCIS, INDIVIDUAL RULES
 OF PRACTICE HON. JED S. RAKOFF,
 ELECTRONIC CASE FILING RULES &
 INSTRUCTIONS

FLORIDA
 STATE OF NEW YORK COUNTY OF *3 New York*
 party herein, is over 18 years of age and resides at *10100 W. Sample Rd #306 Coral Springs, FL 33067*
 That on *6/10/08* at *6:15 PM*, at *625 3rd Key Dr*
 deponent served the within summons, and complaint on *BOB L. MOSS* defendant therein named,
 SEE ABOVE STATED DOCUMENTS

INDIVIDUAL ☒ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.
 CORPORATION ☐ a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.
 SUITABLE AGE PERSON ☐ by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
 AFFIXING TO DOOR, ETC. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO RESIDENCE ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
 MAILING TO BUSINESS ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.
 DESCRIPTION ☒ Male ☒ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.
☐ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☐ 5'4"-5'8" ☐ 131-160 Lbs.
☐ Brown Skin ☒ Gray Hair ☐ Beard ☒ 51-65 Yrs. ☐ 5'9"-6'0" ☒ 161-200 Lbs.
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☒ Over 6' ☐ Over 200 Lbs.

Other identifying features:

USE IN NYC CIVIL CT. ☐ The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY SERVICE ☒ I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on *6-12-08*

Notary Public State of Florida
 J R McGlynn
 My Commission DD499739
 Expires 01/08/2010

PRINT NAME BENEATH SIGNATURE
James A. Wright F.O.I. LPI
 License No. *9300369*

AO 440 (Rev. 8/01) Summons in a Civil Action

JUDGE RAKOFF

UNITED STATES DISTRICT COURT

SOUTHERN

District of NEW YORK

BA CHUB CAY, LLC,
Plaintiff,

V.

WALTER J. MCCRORY,
BOB L. MOSS and
KAYE PEARSON,
Defendants.

SUMMONS IN A CIVIL ACTION

08 CIV 5217

TO: (Name and address of Defendant)

Walter J. McCrory
710 Coral Way
Fort Lauderdale, FL 33301

Bob L. Moss
625 Third Key Drive
Fort Lauderdale, FL 33304

Kaye Pearson
1637 East Lake Drive
Fort Lauderdale, FL 33316

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)
KATTEN MUCHIN ROSENMAN LLP
575 Madison Avenue
New York, NY 10022
(212) 940-8800

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUN 06 2008

CLERK

DATE

(By)  DEPUTY CLERK